



#3 PATENT

Docket No. 2710-4007US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael B. Chancellor, et al.
Serial No. : 09/302,896 Group Art Unit: To be Assigned
Filed : April 30, 1999 Examiner: To be Assigned
For : MUSCLE-DERIVED CELL MEDIATED GENE DELIVERY FOR TREATING
MUSCLE- AND BONE-RELATED INJURY OR DYSFUNCTION

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

I hereby certify that the attached: A Request for a Fee Refund (in duplicate); a Statement (Declaration)

Claiming Small Entity Status (37 C.F.R. § 1.9(f) and § 1.27 (d)) – NONPROFIT ORGANIZATION, duly

executed; and a Return Receipt Postcard.

along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: June 7, 1999

By:

Leslie A. Serunian
Leslie A. Serunian
Reg. No. 35,353

CORRESPONDENCE ADDRESS:
MORGAN & FINNEGAN LLP
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FORM: CERT..NY

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Assistant Commissioner of Patents
Washington, D.C. 20231

REQUEST FOR A FEE REFUND

Accompanying this letter is a Verified Statement (Declaration) Claiming Small Entity Status – Non-Profit Organization, duly executed for the above-identified application. It is requested that the Applicants be accorded Small Entity Status for the payment of all fees herein.

Applicants also respectfully request that a refund of 50% of the original filing fee paid on this application -- i.e., a refund of \$1,224.00 -- be made in view of the establishment of their Small Entity Status. This request is being made within two (2) months of Applicants' April 30, 1999, filing date in accordance with 37 C.F.R. §1.28(a). Applicants respectfully request that such refund be in the form of a check made payable to Applicants' attorneys, Morgan & Finnegan, and be forwarded to the mailing address below, or in the alternative, that such refund

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be credited to the account of Applicants' attorneys, that is, Deposit Account No. 13-4500, Order No. 2710-4007US1. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

Dated: June 7, 1999

Respectfully submitted,

MORGAN & FINNEGAN

By:



Leslie A. Serunian

Reg. No. 35,353

Mailing Address:

Morgan & Finnegan, L.L.P.
345 Park Avenue
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